

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KENNETH CHARLES LASSITER and
ALPHA DORIS D. LASSITER,

Plaintiffs,

v.

CITY OF BREMERTON, MATTHEW
THURING, JOHN VANSANTFORD,
ROBERT FORBES, BREMERTON POLICE
CHIEF, et al.,

Defendants.

Case No. C05-5320RBL

ORDER ON MOTIONS IN LIMINE

This matter is before the court on Defendant Bremerton's Motions In Limine, [Dkt. #390]; the Defendant Officers' Motions In Limine [Dkt. #395]; and Plaintiffs' Motions in Limine [Dkt. #398]. The Court rules on the Motions as follows:

<i>BREMERTON'S MOTIONS</i>	
1. Exclude all evidence not disclosed by discovery deadlines	RESERVE
2. Exclude expert opinions not disclosed by discovery deadlines	RESERVE
3. Exclude medical testimony from Dr. Goldberg that Mr. Lassiter's cardiac care was caused by the July 25, 2003 incident	GRANT

1	4. Exclude testimony of Sidna Steely that Mr. Lassiter's hearing loss	GRANT
2	was caused by the July 25, 2003 incident	
3	5. Exclude lay opinion testimony as to the causal relationship between	GRANT
4	the July 25, 2003 incident and Plaintiff's cardiac, hearing, fertility, and	
5	"spaces between his bones" conditions.	
6	6. Exclude testimony attempting to tie the incident to the Lassiters'	GRANT
7	fertility issues.	
8	7. Exclude reference to an internal investigation.	GRANT
9	8. Exclude reference to the Lassiters' superior court prosecutions.	GRANT
10	9. Exclude testimony regarding discussions between the Lassiters and	GRANT
11	the prosecutors.	
12	10. Exclude testimony regarding a conspiracy against the Lassiters.	GRANT
13	11. Exclude testimony that the officers were caused to be at the	DENY
14	Lassiter home due to the City, the County, or any other governmental	
15	entity	
16	12. Exclude testimony that the City reimbursed the Officers for the	GRANT
17	attorneys' fees incurred due to the WSP investigation.	
18	13. Exclude reference to other litigations brought against the City or	RESERVE
19	its police.	
20	14. Exclude references to the Lassiters' prior lawsuit and its	GRANT as to settlement and
21	outcome.	rulings in the case; DENY as
22		to the fact of the suit.
23	15. Exclude reference to settlement negotiations.	GRANT
24	16. Exclude evidence about domestic violence training.	DENY
25	17. Exclude reference to WSP investigation.	GRANT
26	18. Exclude reference to officer's administrative leave.	GRANT
27	19. Exclude reference to any allegations of prior misconduct of	GRANT
28	officers.	
	20. Exclude evidence or reference to post incident "glaring."	GRANT
	21. Exclude insurance evidence.	GRANT

1	22. Exclude references to Motions in limine.	GRANT
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3	<i>OFFICER'S MOTIONS</i>	
4	<i>Dismissed Claims</i>	
5	1. Exclude evidence of propriety of officers' pre-entry conduct.	RESERVE
6	2. Exclude evidence of propriety of arrest.	RESERVE
7	3. Exclude evidence of criminal charges against Mr. Lassiter.	RESERVE
8	4. Exclude evidence of criminal charges against Mrs. Lassiter.	RESERVE
9	5. Exclude all references to number of time officers said "stop."	DENY
10	<i>The Tape</i>	
11	1. Exclude the tape recording made by the Lassiters on July 25, 2003	DENY
12	2. Exclude all transcripts of the tape.	DENY
13	3. Exclude expert testimony from BEKTEK	RESERVE
14	<i>PLAINTIFFS' MOTIONS</i>	
15	1. Exclude Mr. Lassiter's 1991 conviction for injuring a public record.	RESERVE
16	2. Exclude Mr. Lassiter's attempt to restore his right to bear arms	RESERVE
17	3. Exclude evidence of history between Lassiters and the City.	DENY
18	4. Exclude evidence of prior rulings.	GRANT
19	5. Exclude reference to taxpayers suffering if Lassiters prevail.	GRANT
20	6. Exclude insurance evidence.	GRANT
21	7. Exclude evidence of potential attorneys' fee award.	GRANT
22	8. Exclude 911 tape.	DENY
23	9. Exclude Cain's testimony.	DENY

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25 DATED this 30TH day of April, 2007

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27 RONALD B. LEIGHTON
28 UNITED STATES DISTRICT JUDGE